

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

KYLAH ANTHONY,

Plaintiff,

v.

ACIMA CREDIT, LLC

Defendant.

) CASE NO. 1:21-CV-1926-JPC

)

) JUDGE J. PHILIP CALABRESE

)

) MAGISTRATE JUDGE JENNIFER

) DOWDELL ARMSTRONG

)

)

)

**DEFENDANT ACIMA CREDIT, LLC'S
MOTION TO CONFIRM ARBITRATION AWARD**

In accordance with the Court's June 8, 2023 Order (Doc. 13), Defendant Acima Credit, LLC ("Defendant") hereby submits a copy of the Award of Arbitrator entered May 30, 2023 to the Court, and Defendant further moves this Court to confirm this Award, stating as follows:

1. On May 30, 2023, the Arbitrator entered the final Award of Arbitrator, which denied Plaintiff's claims and awarded Defendant the amount of \$1,379.24 on its counterclaim. Defendant's request for attorney's fees from Claimant was denied.

2. A true and correct copy of the final Award of Arbitrator is attached as Exhibit A hereto.

3. As set forth in the Parties' Stipulation Regarding Arbitration (Doc. 6), any and all claims at issue in this dispute were subject to the binding Jury Trial Waiver and Arbitration Clause contained in the parties' Lease-Purchase Agreement.

5. The United States Arbitration Act requires that upon application by a party within a year after an arbitration award is made, "the court must grant such an order [confirming the award] unless the award is vacated, modified, or corrected as prescribed in sections 10 and 11...." 9 U.S.C. § 9.

6. There are no facts to support any of the very limited grounds for vacatur, modification or correction prescribed in 9 U.S.C. § § 10-11.

WHEREFORE, Defendant respectfully moves this Court to confirm the Award of Arbitrator attached as Exhibit A, making it the judgment of the Court.

Respectfully submitted this 15th day of June, 2023.

/s/ Devin C. Dolive

Devin C. Dolive
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Attorney for Defendant
Acima Credit LLC

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document by U.S. Mail, with a separate copy via e-mail, on this the 15th day of June, 2023, on the following:

Kylah Anthony
832 East 95th Street
Cleveland, Ohio 44108
Kylah1229@gmail.com

/s/Devin C. Dolive

Devin C. Dolive (0075585)